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February 27, 1997

Secretary  
Federal Communications Commission  
1919 M St NW  
Washington DC 20554

RECEIVED

RE: Docket #95-176 Telecommunications Act of 1996  
Reply Comments

FEB 28 1997

Dear Ladies and Gentlemen:

Federal Communications Commission  
Office of Secretary

## C. Transition Rules for Library Programming

In response to your request for comment on transition rules for library programming, I am giving reply comments to networks and programmers that wish for no mandatory captioning requirements be placed on programming libraries. Some commenters argued that enough captioning is being done voluntarily that no FCC monitoring is required. Such an approach is detrimental to public school students and staff who require captioning. "Market forces" mentioned by HBO have been inadequate for educational materials, which lag far behind the entertainment industry. Legal minors are often not likely to have the knowledge or experience necessary to ask for their needs to be met. Media professionals often are aware of captioning needs, but must weigh them against the needs of the entire school population when purchasing decisions are made. Frequently the captioned materials are simply not available.

I would request again that the FCC give careful consideration to school and public libraries. The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 must be considered with the FCC's decision regarding library materials. All students and staff using public school libraries should have equal access to its materials. Roughly half of the hard of hearing students and staff here do not use interpreter or notetaker services. Captioning is the only way accessibility can be ensured in regard to video programming.

A mere 15% of the English videos owned by Everett High School are captioned. Only 25% of new video acquisitions in the last six months have been captioned. Many of these educational videos have been produced between 1985-1995.

In addition to rights of people with disabilities, captioning has been endorsed by the National Parent Teacher Association and the National Education Association as an excellent tool for improving literacy for all viewers.

I endorse the proposed 75% of library materials ultimately be captioned. I also endorse a slower phase-in time, as producers will have much responsibility in complying with new programming requirements. The phase-in should focus on recently produced programs in reverse chronological order. Producers should replace videos purchased by any public library or school with a

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Dale H. Glynn  
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An Equal Opportunity District

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captioned copy at no cost to the purchaser. They should begin with 1997, 1996 and so forth, until 75% of each producer's library is captioned. At a rate of 7.5% each year a ten year phase in time is recommended.

Grants from the US Department of Education should be offered to help small producers pay for these changes. Increased market demand and cooperation of captioning vendors should lower the cost of captioning for school related materials.

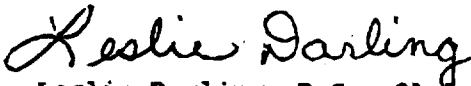
**D. Exemptions of Classes of Programming and Providers Based on Economic Burden**

Item 76: Nationally produced educational programming, such as A & E Classroom, should never be exempt from captioning requirements. A & E frequently reruns programs. Because of the liberal copyright clearance, these shows are taped and stored in school video libraries. Their target audience includes 82% of public school students nationwide: potentially 47,000 students who are deaf or hard of hearing would be discriminated against if this classification is exempted.

Realizing that local producers may not be able to afford captioning or have the technological requirements, a phase-in time of five to ten years is recommended. Community sources, local channels and captioning service vendors would be encouraged to assist in the process. As the new regulations are phased-in, technological advances, increased demand and lower cost will assist in the feasibility of captioning locally broadcast educational programs. Of concern to our community are programs such as the broadcast of school board meetings and quiz bowl shows.

I sincerely appreciate the FCC for making media services accessible to all viewers. Thank you for considering these comments.

Respectfully Submitted,



Leslie Darling, B.S., QA  
Interpreter for the Hearing Impaired

cc:

Harvey Goodstein, National Association of the Deaf, Chair, Telecommunications Committee  
Toby Silver, National Association of the Deaf, Vice Chair Captioning Access Committee  
Jamie Berke, National Association of the Deaf, Chair, TV/Cable Access Committee  
Gloria Anderson, Ingham Intermediate School District, H.I. Network  
A & E Viewer Relations  
United States Department of Education, Captioning Branch